

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ARCH INSURANCE COMPANY,)
a Missouri corporation,)
)
Plaintiff,)
v.) Case No. 12 CV 00786
)
MICHAELS STORES, INC., a Delaware) Judge Ruben Castillo
Corporation, and DOES 1-50, inclusive,)
)
Defendant.)

JOINT MOTION AND STIPULATION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff and Counter-Defendant Arch Insurance Company (“Arch”) and Defendant and Counter-Claimant Michael Stores, Inc. (“Michaels”) (collectively referred to herein as the “Parties”) hereby respectfully and jointly move this Court for, and stipulate to, entry of an order dismissing with prejudice all claims and counterclaims in the above-captioned matter. Each party shall bear its own costs, expenses, and attorneys’ fees.

GORDON & REES LLP

By: */s/ Matthew S. Foy*
Ryan T. Brown (ARDC No. 6269256)
Email: rtbrown@gordonrees.com
GORDON & REES LLP
One North Franklin, Suite 800
Chicago, Illinois 60606
Tel: (312) 565-1400/Fax: (312) 565-6511

Admitted Pro Hac Vice:

Matthew S. Foy (CSBN 187238)
Email: mfoy@gordonrees.com
GORDON & REES LLP
275 Battery Street, Suite 2000
San Francisco, California, 94111
Tel: (415) 986-5900/Fax: (415) 986-8054

*Attorneys for Plaintiff and Counter-Defendant
Arch Insurance Company*

JONES DAY

By: */s/ Mark W. DeMonte*
Morgan R. Hirst (06275128)
Email: mhirst@jonesDay.com
Mark W. DeMonte (0628734)
Email: mdemonte@jonesday.com
JONES DAY 77 West Wacker
Chicago, IL 60601.1692
Telephone: 312.782.3939/Fax: 312.782.8585

Of Counsel:

Edward M. Joyce
Email: emjoyce@jonesday.com
JONES DAY, 222 E. 41st Street
New York, NY 10017
Telephone: 212.326.3939/ Fax: 212.755.7306

*Attorneys for Defendant and Counter-Claimant
Michaels Stores, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2013, I filed the foregoing Joint Motion and Stipulation to Dismiss via the Court's ECF system, which will send notification of such filing to the following at their e-mail address on file with the Court:

Ryan T. Brown (rtbrown@gordonrees.com)
Paul M. Gamboa (pgamboa@gordonrees.com)
Maria C. Granjean (mgranjean@gordonrees.com)
Gordon & Rees LLP
One North Franklin
Suite 800
Chicago, IL 60606
Counsel for Plaintiff Arch Insurance Co.
Tel. 312-565-1400
Fax. 312-565-6511

Matthew S. Foy (mfoy@gordonrees.com)
GORDON & REES LLP
275 Battery Street, Suite 2000
San Francisco, California, 94111
Tel: (415) 986-5900
Fax: (415) 986-8054
Fax: (415) 986-8054

By: /s/ Mark W. DeMonte
Mark DeMonte

*Attorney for Defendant-Counterclaimant
Michaels Stores, Inc.*